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7
8 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. **2010 - 250**

11 **SHELLEY RENEA REDDY**
12 **P.O. Box 5748**
13 **Monterey, CA 93994**

ACCUSATION

14 **451 Curt Holland Road, #4**
15 **Stella, NC 28582**

16 **Registered Nursing License No. 691489**

17 **Respondent.**

18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
22 of Consumer Affairs.

23 2. On or about October 27, 2006, the Board of Registered Nursing issued Registered
24 Nursing License Number 691489 to Shelley Renea Reddy (Respondent). The Registered Nursing
25 License was in full force and effect at all times relevant to the charges brought herein and will
26 expire on December 31, 2009, unless renewed.

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

...

"(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

...

6. Section 141 of the Code states:

"(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

1 "(b) Nothing in this section shall preclude a board from applying a specific statutory
2 provision in the licensing act administered by that board that provides for discipline based upon a
3 disciplinary action taken against the licensee by another state, an agency of the federal
4 government, or another country."

5 7. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
6 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
7 licensee or to render a decision imposing discipline on the license.

8 8. Section 118, subdivision (b), of the Code provides that the expiration of a license
9 shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period
10 within which the license may be renewed, restored, reissued or reinstated.

11 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
12 administrative law judge to direct a licensee found to have committed a violation or violations of
13 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
14 enforcement of the case.

15 CAUSE FOR DISCIPLINE
16 (OUT OF STATE DISCIPLINE)

17 10. Respondent is subject to disciplinary action under sections 2761(a), 2761(a)(4),
18 and/or 141 in that Respondent's North Carolina Registered Nurse certificate #203332 was
19 voluntarily surrendered to the North Carolina Board of Nursing on or about March 30, 2009.

20
21 PRAYER

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
23 and that following the hearing, the Board of Registered Nursing issue a decision:

24 1. Revoking or suspending Registered Nursing License Number 691489, issued to
25 Shelley Renea Reddy.

26 2. Ordering Shelley Renea Reddy to pay the Board of Registered Nursing the reasonable
27 costs of the investigation and enforcement of this case, pursuant to Business and Professions
28 Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED: 11/4/09

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

SF2009404873

Alexis B. Welch, RN, Ed.D
Chair
Ramona C. Whichello, BSN, MN
Vice-Chair
Julia L. George, RN, MSN, FRE
Executive Director

NC BOARD OF NURSING

P.O. Box 2129
Raleigh, North Carolina 27602
919.782.3211
FAX 919.781.9461
Nurse Aide II Registry 919.782.7499
www.ncbon.com

August 12, 2009

Wendy Garske
Board of Registered Nursing
1625 N. Market Blvd., Suite N-217
Sacramento, CA 95834

RE: Shelly Reddy, RN

Dear Ms. Garske:

In response to your request dated 8/4/09, enclosed are true copies of the disciplinary action taken against Ms. Reddy's RN license. This information is as follows:

- 1) North Carolina Board of Nursing Consent to Surrender license to be considered for the Alternative Program dated March 5, 2009.
- 2) Letter to licensee accepting surrender of license dated March 30, 2009.
- 3) Acceptance of Voluntary Surrender Following Non-Compliance with Alternative Program for Chemical Dependency (AP) dated March 30, 2009.

As custodian of the records, I certify that this information is true and accurate. If I can be of further assistance, please do not hesitate to call or write.

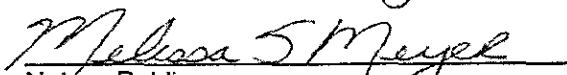
Sincerely,



Vicki Sferruzzo
Investigation/Monitoring Coordinator
919-782-3211, Ext. 240
Email: vicki@ncbon.com

State of North Carolina
County of Wake

Sworn to and subscribed before me
This is the 12th day of August 2009.

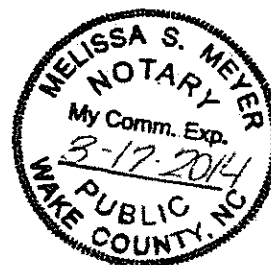


Notary Public

My commission expires

3/19/2014

Serving the Public through Regulatory Excellence



SEAL

I, Shelley Renea Reddy, Registered Nurse, 203332, having been advised by a Representative of the North Carolina Board of Nursing (hereafter known as the Board) of pending charges against me and, also, of my right to have an Administrative Hearing where I am afforded notice and an opportunity to confront witnesses against me, do hereby voluntarily waive my rights before the Board in exchange for ending this matter and no further investigation will be conducted.

Further, I hereby agree that my license to practice as a RN/LPN will be held in abeyance until I become a participant in the Alternative Program for Chemical Dependency and meet program requirements for returning to nursing practice. I fully understand that I shall not practice nursing while my license is held in abeyance.

DATE 3/5/09

Shelly R. Reddy
SIGNATURE

Donna H. Murney
Board Representative

Witness

MC BOARD OF NURSING
2009 MAR 11 P 1:41

Alexis B. Welch, RN, Ed.D
Chair
Ramona C. Whichello, BSN, MN
Vice-Chair
Julia L. George, RN, MSN, FRE
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03/30/2009

CERTIFIED MAIL

Ms. Shelley Renea Reddy
451 Curt Holland Rd #4
Stella, NC 28582

Dear Ms. Reddy:

On 3/04/09 you met with Donna Mooney, Manager of Discipline Proceedings, regarding your arrest on 1/26/09 on three (3) Felony counts of Trafficking and two (2) Felony counts of Obtaining a Controlled Substance by Fraud/Forgery. You stated that the Trafficking charges were related to Vicodin and were based on the quantity of drugs involved. You told Ms. Mooney that you had only a one-month supply of medications and were afraid you would run out, so you called in two refills.

After all options were explained to you, you were provided with a copy of the voluntary surrender form for a straight voluntary surrender and the Consent to Surrender License to be Considered for the Alternative Program. You were given until 5 p.m. on 3/05/09 to notify Ms. Mooney how you wanted to proceed.

You called NCBON on 3/05/09 and stated you had decided to voluntarily surrender your license and request participation in the Alternative Program. You were asked if you understood that by signing the document for participation in the Alternative Program you are admitting you are chemically dependent. You stated you did understand. The Consent to Surrender License to be Considered for the Alternative Program, signed by you on 3/05/09, was received at NCBON on 3/11/09.

On 3/18/09, Candace Elliott, Monitoring Coordinator, contacted you by telephone and provided you with information on the treatment centers in your area. Ms. Elliott gave you a deadline of 4/03/09 to enter treatment and provide documentation from the treatment program to the NCBON. A letter was mailed to you on 3/18/09 with the information you discussed on the telephone.

On 3/24/09 you e-mailed Ms. Elliott and informed her that you changed your mind regarding participating in the Alternative Program. On 3/25/09 Ms. Elliott telephoned you and discussed the decision with you to be sure you understood the ramifications of your decision. You told Ms. Elliott that your husband might be transferred overseas and you didn't want to start the program. You also told Ms. Elliott that you were going to have surgery and thought you would be able to stop taking narcotics on your own after you recovered from surgery. Ms. Elliott informed you that you would be required to show one (1) year of sobriety prior to petitioning for reinstatement. Ms. Elliott also asked you

to submit your decision in writing following the telephone call. You e-mailed Ms. Elliott later that day and confirmed that you wanted to surrender your license and you no longer wished to enter the Alternative Program.

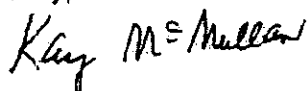
Therefore effective 3/25/09 your RN license is **VOLUNTARILY SURRENDERED**. During the time your license is SURRENDERED, you are not to practice nursing in any way. This means you are not to use the title RN on a name tag or in a signature. Further, you are not to perform any duties, which require a nursing license. You are not to work as a NAI and it will be recommended to the Division of Health Services Regulation that you not be allowed to list as a NAI. Your name will be posted on the NCBON website indicating that your license has been voluntarily surrendered for an indefinite period of time. I am enclosing the Acceptance of Voluntary Surrender following non-compliance with Alternative Program for Chemical Dependency.

If you wish to petition for reinstatement, you would be required to submit evidence of a minimum one-year of sobriety. Enclosed is a booklet of information you need to submit in order for your case to be reviewed for consideration of reinstatement. You are advised to begin screening with FirstLab since a part of the requirement to show evidence of sobriety is that you have screened successfully with FirstLab for a minimum of one year.

All disciplinary actions taken by the Board of Nursing will be reported to the appropriate entities as outlined in Board policy, and as required by State and/or Federal guidelines. Those entities include, but may not be limited to: NURSIS; National Practitioner Databank (NPDB); the office of the Inspector General; Healthcare Integrity and Protection Databank (HIPDB); and any other state/jurisdiction in which we know the licensee is or has been licensed.

I wish you the best in your recovery program.

Sincerely,



Kay McMullan, RN, MSN
Associate Executive Director – Programs
kay@ncbon.com
919-782-3211 ext. 225

Enclosures: Sobriety Notebook, Acceptance of Voluntary Surrender

Acceptance of Voluntary Surrender Following
Non-Compliance with
Alternative Program for Chemical Dependency (AP)

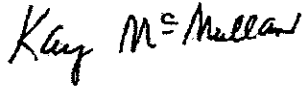
Before the Board of Nursing of the State of North Carolina

Pursuant to the authority vested by Article 9A, Chapter 90 of the General Statutes of North Carolina and Article 3A of Chapter 150B-38 of the General Statutes of North Carolina, the North Carolina Board of Nursing (hereafter known as the Board) **accepts the voluntary surrender** of the Registered Nurse license of Shelley Renea Reddy.

- 1) Shelley Renea Reddy is the holder of Registered Nurse Certificate # 203332 in the State of North Carolina which expires on 11/30/2010.
- 2) On 3/05/09 Shelley Renea Reddy expressed interest in being evaluated for the Board's AP.
- 3) On 3/11/09 the NCBON received Licensee's signed consent to surrender and request to be considered for the AP.
- 4) On 3/25/09 it was determined Shelley Renea Reddy **did not comply with the terms for entry into the AP.**
- 5) Therefore, the license of Shelley Renea Reddy is hereby **VOLUNTARILY SURRENDERED** for a minimum of one (1) year and the Licensee must immediately **CEASE AND DESIST** from the practice of Nursing in North Carolina. Licensee must submit evidence of a minimum of one (1) year of sobriety prior to petitioning for reinstatement.
- 6) The voluntary surrender of the license is considered a discipline action and Shelley Renea Reddy understands that by voluntarily surrendering the license, Licensee waives all rights to seek judicial review or otherwise challenge the validity of this discipline action.
- 7) This **Acceptance of Voluntary Surrender** will be placed in the Licensee's file and becomes a public record pursuant to the North Carolina Public Record Statute G.S. Chapter 132 and Board policy.
- 8) The Licensee's name will appear on the Board's Website indicating that the license was **voluntarily surrendered** for non-compliance with program requirements.
- 9) During the time of **voluntary surrender**, the Licensee is not to work as an NAI, and it will be recommended to Division of Health Services Regulation that the Licensee not be allowed to list as a NAI.

- 10) All disciplinary actions taken by the Board of Nursing will be reported to the appropriate entities as outlined in Board policy, and as required by State and/or Federal guidelines. Those entities include, but may not be limited to: NURSYS; National Practitioner Databank (NPDB); the office of the Inspector General; Healthcare Integrity and Protection Databank (HIPDB); and any other state/jurisdiction in which we know the Licensee is or has been licensed.

This the 30th day of March, 2009.

A handwritten signature in black ink that reads "Kay M^c McMullan". The signature is written in a cursive, flowing style.

Kay McMullan, RN, MSN
Associate Executive Director – Programs